## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION DOCKET NO. 5:14CR83-RLV-DCK-1

) AMENDED
) SCHEDULING ORDER

**THIS MATTER** is before the Court on an Order of Remand, filed August 26, 2016, from the Fourth Circuit Court of Appeal for re-sentencing.<sup>1</sup>

## IT IS, THEREFORE, ORDERED that:

The North Carolina Department of Corrections at Scotland CI in Laurinburg, N. C. and the United States Marshals Service is hereby ORDERED to transport and produce the body of JEFFREY DEAN TUCKER (NCDOC#: 0412832/USM#: 16327-058), for resentencing on March 6, 2017, before the Honorable Richard L. Voorhees, in the Western District of North Carolina, Statesville Courthouse, 200 West Broad Street, 2<sup>nd</sup> Floor Courtroom, Statesville, North Carolina, not later than March 1, 2017, and upon completion of the re-sentencing hearing, Defendant is to be returned to the custody of the North Carolina Department of Corrections. The Clerk is directed to certify copies of this Order to the United States Attorney, Defendant's Counsel, the United States Marshal Service, and the United States Probation Office.

<sup>&</sup>lt;sup>1</sup> The Fourth Circuit, vacated the judgment of the district court, and remands this matter to the district court for the limited purpose of resentencing in light of *United States v. Gardner*, 823 F.3d 793 (4<sup>th</sup> Cir. 2016). The Mandate was entered on

Signed: February 8, 2017

Richard L. Voorhees United States District Judge